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3 **DECISION AND ORDER**
4 **OF THE**
5 **BOARD OF PSYCHOLOGY**

6 **DEPARTMENT OF CONSUMER AFFAIRS**
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8 The attached Stipulation in case number X44, is hereby adopted as the Decision and
9 Order of the Board of Psychology, Department of Consumer Affairs. This Decision shall
10 become effective upon respondent meeting the requirements for registration as
11 a psychological assistant in the State of California.
12

13 Made this 11th day of October, 2001.
14

15
16 M. R. Greenberg
17 Martin R. Greenberg, Ph.D.
18 President, Board of Psychology
19 Department of Consumer Affairs
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21
22
23
24

25 D. Byrnes

1 BILL LOCKYER, Attorney General
of the State of California
2 KAREN B. CHAPPELLE, State Bar No. 141267
Deputy Attorney General
3 California Department of Justice
300 South Spring Street, Suite 1701
4 Los Angeles, California 90013
Telephone: (213) 897-8944
5 Facsimile: (213) 897-1071

6 Attorneys for Complainant

7
8 **BEFORE THE**
9 **BOARD OF PSYCHOLOGY**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Statement of Issues Against:

Case No. X44

13 DENNIS BYRNES
1301 East Avenue. I Space 258
14 Lancaster, California 93535

OAH No.

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

Respondent.

15
16 In the interest of a prompt and speedy settlement of this matter, consistent with the public
17 interest and the responsibility of the Board of Psychology of the Department of Consumer
18 Affairs, the parties hereby agree to the following Stipulated Settlement and Disciplinary Order
19 which will be submitted to the Board for approval and adoption as the final disposition of the
20 Statement of Issues.

21 **PARTIES**

22 1. Thomas S. O'Connor (Complainant) is the Executive Officer of the Board of
23 Psychology. He brought this action solely in his official capacity and is represented in this
24 matter by Bill Lockyer, Attorney General of the State of California, by Karen B. Chappelle,
25 Deputy Attorney General.

26 2. Respondent is representing himself in this proceeding and has chosen not to
27 exercise his right to be represented by counsel.

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3. On or about November 27, 2000, Dennis Byrnes ("Respondent") submitted an application to be registered as a Psychological Assistant to the Board of Psychology. The Application was denied on or about January 18, 2001.

JURISDICTION

4. Statement of Issues No. W 44 was filed before the Board of Psychology of the Department of Consumer Affairs, (Board), and is currently pending against Respondent. The Statement of Issues, together with all other statutorily required documents and this instant Stipulation in Settlement were properly served on Respondent. A copy of Statement of Issues No. X 44 is attached as exhibit A and incorporated herein by reference.

ADVISEMENT AND WAIVERS

5. Respondent has carefully read, and understands the charges and allegations in Statement of Issues No. X 44. Respondent has also carefully read, and understands the effects of this Stipulated Settlement and Disciplinary Order.

6. Respondent is fully aware of his legal rights in this matter, including the right to a hearing on the charges and allegations in the Statement of Issues; the right to be represented by counsel at his own expense; the right to confront and cross-examine the witnesses against him; the right to present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

CULPABILITY

8. Respondent admits the truth of each and every charge and allegation in Statement of Issues No. x 44.

9. Respondent agrees that his registration as a Psychological Assistant to the Board of Psychology is subject to denial and he agrees to be bound by the Board's imposition of discipline as set forth in the Disciplinary Order below.

CONTINGENCY

10. This stipulation shall be subject to approval by the Board. Respondent understands and agrees that the Board of Psychology's staff and counsel for Complainant may communicate directly with the Board regarding this stipulation and settlement, without notice to or participation by Respondent. By signing the stipulation, Respondent understands and agrees that he may not withdraw his agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.

11. The parties understand and agree that facsimile copies of this Stipulated Settlement and Disciplinary Order, including facsimile signatures thereto, shall have the same force and effect as the originals.

12. In consideration of the foregoing admissions and stipulations, the parties agree that the Board may, without further notice or formal proceeding, issue and enter the following Disciplinary Order:

DISCIPLINARY ORDER

IT IS HEREBY ORDERED that Respondent Dennis Byrnes that Psychological Assistant Registration will be issued and automatically revoked. The revocation will be stayed and the Respondent placed on three (3) years probation on the following terms and conditions.

1. **ALCOHOL AND DRUG ABUSE TREATMENT** Effective 30 days from the date of this Decision, respondent shall enter an inpatient or outpatient alcohol or other drug abuse recovery program (a minimum of six (6) months duration) or an equivalent program and/or proof of completion of an alcohol and drug abuse program as approved by the Board or its designee. Respondent shall provide the Board or its designee with proof that the approved program was successfully completed. Quitting the program without permission or being expelled for cause shall constitute a violation of probation by respondent. All costs associated with the program shall be paid by respondent.

1 2. **ONGOING TREATMENT PROGRAM** Respondent shall participate in on-
2 going treatment and/or out-patient treatment such as receiving individual and/or group therapy
3 from a psychologist trained in alcohol and drug abuse treatment; and/or attend Twelve Step
4 meetings or the equivalent as approved by the Board or its designee at least once a week during
5 the first year of probation. Respondent shall provide documentation of attendance at Twelve
6 Step meetings or the equivalent on a quarterly basis to the Board or its designee.

7 All expenses associated with the treatment shall be paid by respondent.

8 3. **ABSTAIN FROM ALL NON-PRESCRIBED, CONTROLLED DRUGS**
9 **AND ALCOHOL AND SUBMIT TO TESTS AND SAMPLES** Respondent shall abstain
10 completely from the personal use or possession of controlled substances as defined in the
11 California Uniform Controlled Substances Act, and dangerous drugs as defined by Section 4211
12 of the Business and Professions Code, or any drugs requiring a prescription unless respondent
13 provides the Board or its designee with documentation from the treating physician and surgeon
14 that the prescription was legitimately issued and is a necessary part of the treatment of
15 respondent. Respondent shall abstain completely from the use of alcoholic beverages.
16 Respondent shall undergo random, biological fluid testing as determined by the Board or its
17 designee. Any confirmed positive finding will be considered a violation of probation.
18 Respondent shall pay all costs associated with such testing. The length of time and frequency of
19 this testing condition will be determined by the Board or its designee.

20 Orders forbidding respondent from personal use or possession of controlled substances or
21 dangerous drugs do not apply to medications lawfully prescribed to respondent for a bona fide
22 illness or condition by a physician and surgeon. Respondent shall provide the Board or its
23 designee with written documentation from the treating physician and surgeon who prescribed
24 medication(s).

25 4. **PROBATION COSTS** Respondent shall pay the costs associated with
26 probation monitoring each and every year of probation. Such costs shall be payable to the Board
27 of Psychology at the end of each fiscal year (July 1 - June 30). Failure to pay such costs shall be
28 considered a violation of probation.

1 The filing of bankruptcy by respondent shall not relieve respondent of the responsibility
2 to repay investigation and enforcement costs

3 5. **OBEY ALL LAWS** Respondent shall obey all federal, state, and local laws and
4 all regulations governing the practice of psychology in California including the ethical guidelines
5 of the American Psychological Association. A full and detailed account of any and all violations
6 of law shall be reported by the respondent to the Board or its designee in writing within seventy-
7 two (72) hours of occurrence.

8 6. **QUARTERLY REPORTS** Respondent shall submit quarterly declarations
9 under penalty of perjury on forms provided by the Board or its designee, stating whether there
10 has been compliance with all the conditions of probation.

11 7. **PROBATION COMPLIANCE** Respondent shall comply with the Board's
12 probation program and shall, upon reasonable notice, report to the assigned District Office of the
13 Medical Board of California or other designated probation monitor. Respondent shall contact the
14 assigned probation officer regarding any questions specific to the probation order. Respondent
15 shall not have any unsolicited or unapproved contact with 1) complainants associated with the
16 case; 2) Board members or members of its staff; or 3) persons serving the Board as expert
17 evaluators.

18 8. **INTERVIEW WITH BOARD OR ITS DESIGNEE** Respondent shall appear
19 in person for interviews with the Board or its designee upon request at various intervals and with
20 reasonable notice.

21 9. **CHANGES OF EMPLOYMENT** Respondent shall notify the Board in
22 writing, through the assigned probation officer, of any and all changes of employment, location,
23 and address within 30 days of such change.

24 10. **TOLLING FOR OUT-OF-STATE PRACTICE, RESIDENCE OR IN-**
25 **STATE NON-PRACTICE** In the event respondent should leave California to reside or to
26 practice outside the State or for any reason should respondent stop practicing psychology in
27 California, respondent shall notify the Board or its designee in writing within ten days of the
28 dates of departure and return or the dates of non-practice within California. Non-practice is

1 defined as any period of time exceeding thirty days in which respondent is not engaging in any
2 activities defined in Sections 2902 and 2903 of the Business and Professions Code. Periods of
3 temporary or permanent residency or practice outside California or of non-practice within
4 California will not apply to the reduction of this probationary period., although the Board may
5 allow respondent to complete certain terms of probation that are not associated with active
6 practice.

7 11. **FUTURE REGISTRATION OR LICENSURE** If respondent is currently
8 registered as a psychological assistant and subsequently obtains other psychological assistant
9 registrations or becomes licensed as a psychologist during the course of this probationary order,
10 respondent agrees that this Decision shall remain in full force and effect until the probationary
11 period is successfully terminated. Future registration or licensure shall not be approved,
12 however, until respondent is currently in compliance with all of the terms and conditions of
13 probation.

14 12. **VIOLATION OF PROBATION** If respondent violates probation in any
15 respect, the Board may, after giving respondent notice and the opportunity to be heard, revoke
16 probation and carry out the disciplinary order that was stayed. If an Accusation or Petition to
17 Revoke Probation is filed against respondent during probation, the Board shall have continuing
18 jurisdiction until the matter is final, and the period of probation shall be extended until the matter
19 is final. No Petition for Modification or Termination of Probation shall be considered while
20 there is an Accusation or Petition to Revoke Probation pending against respondent.

21 13. **COMPLETION OF PROBATION** Upon successful completion of probation,
22 respondent's license shall be fully restored.

23 **ACCEPTANCE**

24 I have carefully read the Stipulated Settlement and Disciplinary Order. I understand the
25 stipulation and the effect it will have on my Psychological Assistant Registration. I enter into

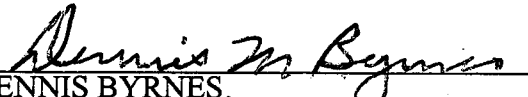
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1 this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and
2 agree to be bound by the Decision and Order of the Board of Psychology.

3 DATED: 8-16-01


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5 
6 DENNIS BYRNES.
Respondent

7
8 **ENDORSEMENT**

9 The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully
10 submitted for consideration by the Board of Psychology of the Department of Consumer Affairs.

11 DATED: 8/21/01

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13 BILL LOCKYER, Attorney General
of the State of California

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15 
16 KAREN B. CHAPPELLE
Deputy Attorney General

17 Attorneys for Complainant
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1 BILL LOCKYER, Attorney General
of the State of California
2 KAREN B. CHAPPELLE, State Bar No. 141267
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FILED
STATE OF CALIFORNIA
BOARD OF PSYCHOLOGY
SACRAMENTO 7/30 20.01
BY M. Jackman ANALYST

6 Attorneys for Complainant

7
8
9 **BEFORE THE**
BOARD OF PSYCHOLOGY
10 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

11 In the Matter of the Statement of Issues Against:

Case No. X44

12 DENNIS BYRNES
13 1301 East Avenue I, Space 258
14 Lancaster, California 93535

STATEMENT OF ISSUES

15 Respondent.

16 Complainant alleges:

17 **PARTIES**

18 1. Thomas S. O'Connor ("Complainant") brings this statement of issues solely in his
19 official capacity as the Executive Officer of the Board of Psychology, Department of Consumer
20 Affairs.

21 2. On or about November 27, 2000, Dennis Byrnes ("Respondent") submitted an
22 application to be registered as a Psychological Assistant to the Board of Psychology. The
23 application was denied on or about January 18, 2001.

24 **JURISDICTION**

25 3. This Statement of Issues is brought before the Board of Psychology ("Board"),
26 under the authority of the following sections of the Business and Professions Code ("Code").

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1 4. Section 480 of the Code states:

2 "(a) A board may deny a license regulated by this code on the grounds that the applicant
3 has one of the following:

4 "(1) Been convicted of a crime. A conviction within the meaning of this section
5 means a plea or verdict of guilty or a conviction following a plea of nolo contendere. Any action
6 which a board is permitted to take following the establishment of a conviction may be taken
7 when the time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal,
8 or when an order granting probation is made suspending the imposition of sentence, irrespective
9 of a subsequent order under the provisions of Section 1203.4 of the Penal Code.

10 "(2) Done any act involving dishonesty, fraud or deceit with the intent to
11 substantially benefit himself or another, or substantially injure another; or

12 "(3) Done any act which if done by a licentiate of the business or profession in
13 question, would be grounds for suspension or revocation of license.

14 "The board may deny a license pursuant to this subdivision only if the crime or act is
15 substantially related to the qualifications, functions or duties of the business or profession for
16 which application is made.

17 "(a) Notwithstanding any other provision of this code, no person shall be denied a license
18 solely on the basis that he has been convicted of a felony if he has obtained a certificate of
19 rehabilitation under Section 4852.01 and following of the Penal Code or that he has been
20 convicted of a misdemeanor if he has met all applicable requirements of the criteria of
21 rehabilitation developed by the board to evaluate the rehabilitation of a person when considering
22 the denial of a license under subdivision (a) of Section 482.

23 "(b) A board may deny a license regulated by this code on the ground that the applicant
24 knowingly made a false statement of fact required to be revealed in the application for such
25 license."

26 5 Section 2960 of the Code states:

27 The board may refuse to issue any registration or license, or may issue a registration or
28 license with terms and conditions, or may suspend or revoke the registration or license of any

1 registrant or licensee if the applicant, registrant, or licensee has been guilty of unprofessional
2 conduct. Unprofessional conduct shall include, but not be limited to:

3 (a) Conviction of a crime substantially related to the qualifications, functions or
4 duties of a psychologist or psychological assistant.

5 (b) Use of any controlled substance as defined in Division 10 (commencing with
6 Section 11000) of the Health and Safety Code, or dangerous drug, or any alcoholic beverage to
7 an extent or in a manner dangerous to himself or herself, any other person, or the public, or to an
8 extent that this use impairs his or her ability to perform the work of a psychologist with safety to
9 the public.

10 (c) The commission of any dishonest, corrupt, or fraudulent act.

11 6. Section 2964.6 of the Code states:

12 An administrative disciplinary decision that imposes terms of probation may include,
13 among other things, a requirement that the licensee who is being placed on probation pay the
14 monetary costs associated with monitoring the probation.

15 7. Section 2914 of the Code states:

16 Each applicant for licensure shall comply with the following requirements:

17 (a) Is not subject to denial of licensure under Division 1.5.

18 8. Section 2963 of the Code states:

19 A plea or verdict of guilty or a conviction following a plea of nolo contendere made to a
20 charge which is substantially related to the qualifications, functions and duties of a psychologist
21 or psychological assistant is deemed to be a conviction within the meaning of this article. The
22 committee may order the license suspended or revoked, or may decline to issue a license when
23 the time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal or
24 when an order granting probation is made suspending the imposition of sentence, irrespective of
25 a subsequent order under the provisions of Section 1203.4 of the Penal Code allowing such
26 person to withdraw his or her plea of guilty and to enter a plea of not guilty, or setting aside the
27 verdict of guilty, or dismissing the accusation, information or indictment.
28

1 9. California Code of Regulations, title 16, section 1394, states:

2 "For the purposes of denial, suspension, or revocation of a license or registration pursuant
3 to Division 1.5 (commencing with Section 475) of the code, a crime or act shall be considered to
4 be substantially related to the qualifications, functions or duties of a person holding a license or
5 registration under the Psychology Licensing Law (Chapter 6.6 of Division 2 of the Code), if to a
6 substantial degree it evidences present or potential unfitness of a person holding a license or
7 registration to perform the functions authorized by his or her license or registration or in a
8 manner consistent with the public health, safety, or welfare. Such crimes or acts shall include but
9 not be limited to those involving the following:

10 "(a) Violating or attempting to violate, directly or indirectly, or assisting in or
11 abetting the violation of or conspiring to violate any provision or term of that law.

12 "(b) Conviction of a crime involving fiscal dishonesty."

13 10. Section 125.3 of the Code provides, in pertinent part, that the Board may request
14 the administrative law judge to direct a licensee found to have committed a violation or
15 violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation
16 and enforcement of the case.

17 **FIRST CAUSE FOR DENIAL OF APPLICATION**

18 **(CONVICTION OF RECKLESS DRIVING WITH BODILY INJURY)**

19 11. Respondent's application is subject to denial under section 2963 of the Business
20 and Professions Code in that on or about April 14, 1999, in a criminal proceeding entitled *People*
21 *of the State of California v. Dennis Martin Byrnes* in Municipal Court of Antelope Judicial
22 District, Case Number MA016816, Respondent was convicted by plea of nolo contendere in
23 California Vehicle Code section 23104 (a) -Reckless Driving With Bodily Injury, a
24 misdemeanor. The circumstances are as follows:

25 a. On or about July 4, 1998, Respondent was traveling eastbound SR-138
26 (Antelope Hwy.) and had already passed some eastbound traffic when he came in behind a pick-
27 up truck with three females in it. The pick-up was traveling 50-55 miles per hour when
28 Respondent moved into the westbound lane, traveling across a solid yellow line for eastbound

1 traffic. Respondent accelerated to 75-80 miles per hour to pass the pick-up. As Respondent was
2 passing the pick-up, two cars came over a rise in the westbound lane of the road. The first
3 vehicle, to avoid hitting Respondent head on, swerved towards the right shoulder. The second
4 vehicle, driven by V. L., saw the first vehicle and swerved partially onto the dirt shoulder to
5 avoid a head on collision. V. L. lost control of the vehicle and it swerved back into the
6 westbound lane. The vehicle then swerved back to the right causing it to start spinning. The
7 vehicle traveled over a dirt berm becoming airborne. The vehicle then traveled through a barbed
8 wire fence before landing in a dirt area north of the fence. The vehicle then went through a chain
9 linked fence and into the California Aqueduct, where it came to rest on its roof submerged at the
10 bottom. V. L. and one of her passengers, M.. G., escaped from the vehicle after it was in the
11 aqueduct. V.L.'s daughter, S. L., became trapped inside the vehicle and drowned. She was later
12 revived by the Los Angeles Fire Department while being airlifted to the hospital. Respondent saw
13 the dust from the first vehicle but accelerated away from the scene. The driver of the pick-up
14 followed Respondent, got his license plate number, description of his vehicle and a partial
15 description of the occupants.

16 b. On or about April 14, 1999, Respondent was sentenced as follows: 90
17 days in county jail (30 in custody), 60 in work furlough program, 128 hours community service,
18 revoked driver's license for one year, and paying monthly restitution until April 14, 2004.

19 SECOND CAUSE FOR DENIAL OF APPLICATION

20 (CONVICTION OF POSSESSION OF CONTROLLED SUBSTANCE PARAPHERNALIA)

21 12. Respondent's application is subject to denial under section 2963 of the Business
22 and Professions Code in that on or about March 3, 1986, in a criminal proceeding entitled *People*
23 *of the State of California v. Dennis Martin Byrnes* in Long Beach Municipal Court of Los
24 Angeles Judicial District, Case Number M224680, Respondent was convicted by plea of nolo
25 contendere, of possession of controlled substance paraphernalia, a hypodermic needle, in
26 violation of Health and Safety Code section 11364, a misdemeanor. The circumstances are as
27 follows:
28

1 a. On or about February 27, 1986, Respondent was arrested in Long Beach
2 for possession of drug paraphernalia. He was in a neighborhood known to local law-enforcement
3 officers for drugs and was stopped after coming out of a house he was visiting and searched. He
4 said he knew it was just a matter of time and he figured it was his turn to get caught.

5 b. On or about March 3, 1986, Respondent was sentenced as follows: 10
6 days in county jail and one year summary probation.

7 **THIRD CAUSE FOR DENIAL OF APPLICATION**

8 (CONVICTION OF BURGLARY)

9 13. Respondent's application is subject to denial under section 2963 of the Business
10 and Professions Code in that on or about February 8, 1986, in a criminal proceeding entitled
11 *People of the State of California v. Dennis Martin Byrnes* in Superior Court of Torrance Judicial
12 District, Case Number M297139, Respondent was convicted of burglary, in violation of Penal
13 Code section 459, a misdemeanor. The circumstances are as follows:

14 c. On or about February 8, 1986, Respondent was arrested for shoplifting in
15 a department store located in a mall in Torrance. He took about \$40.00 worth of clothing and
16 then took them to a cashier and tried to get a refund. Store security observed him take the items
17 and arrested him when he tried to make a return on the items. Byrnes said he was under the
18 influence of drugs at the time of the incident and said he was trying to get money to support his
19 habit. He was in jail until his arraignment and was ordered to appear again to pay restitution.

20 d. On or about February 9, 1986, Respondent was sentenced as follows: time
21 served with instructions to return regarding payment of fine. Respondent failed to appear and a
22 warrant was issued. It was later dismissed. The penalty imposed was ordered to be served
23 concurrent with the burglary charge in case no: M297139.

24 **FOURTH CAUSE FOR DENIAL OF APPLICATION**

25 (CONVICTION OF BURGLARY)

26 14. Respondent's application is subject to denial under section 2963 of the Business
27 and Professions Code in that on or about April 24, 1986, in a criminal proceeding entitled *People*
28 *of the State of California v. Dennis Martin Byrnes* in Long Beach Municipal Court of Los

1 Angeles Judicial District, Case Number A033387, Respondent was convicted by plea of nolo
2 contendere, of three counts of second degree felony vehicle burglary, in violation of Penal Code
3 section 459. The circumstances are as follows:

4 a On or about April 24, 1986, Respondent was arrested for three counts of
5 vehicle burglary in Long Beach. He was running from a car he had just burglarized, with the
6 radio he had taken from the car, and a witness was able to get his description. The witness called
7 the police and the police found and arrested him a short time later. Respondent burglarized cars,
8 took the radios and sold them to car repair shops to support his drug habit. Respondent was sent
9 to prison at the California Rehabilitation Center and was paroled on April 30, 1987. While on
10 parole he was subject to unannounced drug tests during which he never tested positive. He
11 completed parole in 1989 and also obtained a certificate for chemical dependency so he could
12 work as a counselor in the field.

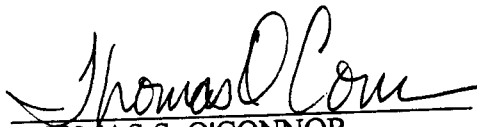
13 b. On or about April 24, 1986, Respondent was sentenced as follows: one
14 year of incarceration. He was evaluated and assigned to a narcotics program in California
15 Rehabilitation Center in Norco, California. Respondent attended the program from June 30,
16 1986 through April 30, 1987, and was released on parole from April 30, 1987 to January 19,
17 1989.

18 **PRAYER**

19 **WHEREFORE**, Complainant requests that a hearing be held on the matters herein
20 alleged, and that following the hearing, the Board of Psychology issue a decision:

- 21 1. Denying the application of Dennis Byrnes for a Psychological Assistant License;
22 2. Taking such other and further action as deemed necessary and proper.

23 DATED: July 30, 2001.

24
25 
26 THOMAS S. O'CONNOR
27 Executive Officer
28 Board of Psychology
Department of Consumer Affairs
State of California
Complainant

DECLARATION OF SERVICE BY CERTIFIED MAIL

In the Matter of the Accusation Filed
Against:

Dennis Byrnes

No. : X44

I, the undersigned, declare that I am over 18 years of age and not a party to the within cause; my business address is 1422 Howe Avenue, Ste. 22 Sacramento, California 95825. I served a true copy of the attached:

DECISION AND ORDER

by mail on each of the following, by placing same in an envelope (or envelopes) addressed (respectively) as follows:

NAME AND ADDRESS

CERT NO.

Dennis Byrnes
1301 East Avenue I Space 258
Lancaster, CA 93535

7000 0520 0021 8424 3271

Karen B. Chappelle
Deputy Attorney General
300 S. Spring St., Ste. 1701
Los Angeles, CA 90013

Each said envelope was then on, October 11, 2001, sealed and deposited in the United States mail at Sacramento, California, the county in which I am employed, as certified mail, with the postage thereon fully prepaid, and return receipt requested.

Executed on, October 11, 2001, at Sacramento, California.
I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.



DECLARANT
Mary Laackmann
Enforcement Analyst